IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15676 of 2005

Between:

P.Laxmaiah, s/o late Narsaiah,
r/o Meerpet (Vill) Saroornagar Mandal, Ranga Reddy District.

..... PETITIONER

AND

1 The District Collector, R.R.District, Lakdikapul, Hyderabad.
2 The Joint Collector, Ranga Reddy District, Lakdikapul, Hyderabad.
3 The Special Grade Deputy Collector & Revenue Divisional Officer, East

Division, Ranga Reddy District, Gosha Mahal Road, Hyderabad.
4 The Deputy Collector & Mandal Revenue Officer, Saroornagar Mandal,

Ranga Reddy District, Venkateshwaranagar Colony, Saroornagar.
5 Sri V.Bikshapathy Reddy, s/o late Rama Chandra Reddy,
r/o Jainagar Colony, Sayeedabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus under Article 226 of the Constitution of India declaring the inaction of the respondent No.1 who is the District Collector, Ranga Reddy District in not causing an enquiry on the representations made by the petitioners in respect of the

fraud committed by the respondent No.5 in obtaining the resumption order bearing No.T/1/69/63, dt.03-02-1964 pertaining to the Sy.Nos.50, 86 and 87 of Meerpet Village, Saroornagar Mandal, R.R.District admeasuring Ac.05-01 gts. and set aside the same holding that the proceedings are contrary to the provisions of A.P.(TA) Tenancy and agricultural Lands Act, 1950 and the law framed thereto by this Hon'ble Court after calling for the records from the respondent No.3 and consequently direct the respondents to pay compensation to the petitioner for the hardships and injury sustained by him for over 30 years.

Counsel for the Petitioner: M R.B.S.V.PRAKASH KUMAR

Counsel for the Respondent Nos. 1 to 4: GP FOR REVENUE

Counsel for the Respondent No.5: --

The Court, at the stage of admission, made the following:

Oral order:

This writ petition is filed seeking direction to the 1st respondent to cause an inquiry on the representation made by the petitioner in respect of the fraud committed by the 5th respondent in obtaining the resumption order dated 03-02-1964 pertaining to the land ad-measuring Ac. 05-01 gts., in survey Nos. 50, 86 and 87 of Meerpet village, Saroornagar mandal, R.R. district and set aside the same holding that the proceedings are contrary to the provisions of A.P. (T.A.) Tenancy and Agricultural Lands Act, 1950 (for short 'the Act') and the law framed thereto; and also direct the respondents to pay compensation to the petitioner for the hardships and injury sustained by him for over thirty years.

The case of the petitioner is that the younger brother of the petitioner filed a petition for succession under Section 40 of the Act, in which the petitioner was arrayed as 1st respondent. After contest, the said petition was allowed by the order dated 02-06-2005 of the 4th respondent and rejected the claim of the petitioner on the ground that the petitioner has an effective alternative remedy of appeal since he was evicted from the land in late 1970. The possession was also, it is stated, delivered to the younger brother and the sons of his younger brother by the proceedings dated 30-06-2005 of the 4th respondent. Aggrieved, the petitioner filed an appeal before the 2nd respondent, which is stated, to be pending.

Considering the facts and circumstances of the case, I deem it appropriate to direct the 2nd respondent to dispose of the appeal filed by the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order. The writ petition is, accordingly, disposed of. No costs.

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ELIPE DHARMA RAO, J

Dt. 20-07-2005

Pvks/*

To

1 The District Collector, R.R.District, Lakdikapul, Hyderabad.
2 The Joint Collector, Ranga Reddy District, Lakdikapul, Hyderabad.
3 The Special Grade Deputy Collector & Revenue Divisional Officer, East

Division, Ranga Reddy District, Gosha Mahal Road, Hyderabad.
4 The Deputy Collector & Mandal Revenue Officer, Saroornagar Mandal,

Ranga Reddy District, Venkateshwaranagar Colony, Saroornagar.

5 2 CCs., to the learned Government Pleader for Revenue, A.P. High Court

Buildings, Hyderabad (OUT).

7 2 CD copies

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